

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:

RUTH BRIGGS  
SOTONYE BRIGGS  
DEBTOR(S)

§ CASE NO. 17-36723  
§  
§ CHAPTER 13  
§

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Comes now Wells Fargo Bank, N.A. (hereinafter "WF"), a secured creditor in the above-entitled and numbered case, filing this Objection to Confirmation of Chapter 13 Plan, and in support hereof represents:

1. The above-styled Debtor(s) filed a voluntary petition under Chapter 13 of Title 11, United States Bankruptcy Code, on December 15, 2017.
2. Debtor(s) is indebted to WF pursuant to a promissory note secured by a recorded instrument granting a security interest in the real property with the address of 3206 Rosemary Park Lane, Houston, Texas 77082 (the "Property").
3. The Property is the Debtor(s)' principal residence.
4. The total debt due and owing to WF as of the date of filing was approximately \$320,155.32, with pre-petition arrearage of approximately \$15,727.84 (the "Claim").
5. Debtor(s) Chapter 13 Plan (the "Plan") as proposed provides only \$6,398.90 to satisfy the pre-petition arrearage portion of the Claim.
6. WF objects to confirmation of the Plan because:
  - a. it does not comply with Section 1322(b)(2) and is not feasible because it understates the amount of the Claim, including, but not limited to pre-petition arrears and the total debt due and owing as of the date of filing.

WHEREFORE, PREMISES CONSIDERED, WF prays that this Court deny confirmation of the Plan, and grant it such other and further relief at law and in equity as is just.

Respectfully submitted,  
Bonial & Associates, P.C.

/s/ LynAlise K. Tannery

Michael J. Burns / TBN 24054447  
LynAlise K. Tannery / TBN 24083941  
Carlos R. Hernandez-Vivoni / TBN 24096186  
Zachary Wright / TBN 24097223  
Attorneys and Counselors  
14841 Dallas Parkway, Suite 300  
Dallas, Texas 75254  
(972) 643-6600  
(972) 643-6698 (Telecopier)  
E-mail: BkcyAttorneys@BonialPC.com  
Attorney for Wells Fargo Bank, N.A.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon the following parties in interest either via pre-paid regular U.S. Mail or via electronic notification on or before the 2 day of January 2018:

Debtor's Attorney  
John Ernest Smith  
John E Smith & Associates  
907 S Friendswood Dr Ste 204  
Friendswood, Texas 77546-5489

Debtor  
Ruth Briggs  
3206 Rosemary Park Lane  
Houston, Texas 77082-6807

Debtor  
Sotonye Briggs  
3206 Rosemary Park Lane  
Houston, Texas 77082-6807

U.S. Trustee  
Office of the US Trustee  
515 Rusk Ave., Ste. 3516  
Houston, Texas 77002

Chapter 13 Trustee  
David G. Peake  
9660 Hillcroft, Suite 430  
Houston, Texas 77096-3856

Synchrony Bank  
c/o PRA Receivables Management, LLC  
P.O. Box 41021  
Norfolk, VA 23541

17-36723

/s/ LynAlise K. Tannery  
Michael J. Burns  
LynAlise K. Tannery  
Carlos R. Hernandez-Vivoni  
Zachary Wright